

SECTION 01.77.00 PROJECT CLOSE OUT PROCEDURES

DELETE BLUE INSTRUCTIONS BEFORE INCLUDING THIS SECTION IN THE PROJECT MANUAL

77.1. SCOPE

- A** This section lists the procedures required for the proper completion of this project including processing the Release of Retainage and making the Final Payment to the Contractor.
- B** Consult the Individual sections of the specifications for requirements affecting Project Close Out.

77.2. RELATED DOCUMENTS

- A** This section supplements the General Conditions.
- B** Consult the individual sections of the specifications for specific items required under those sections.
- C** Section 01.26.00 Contract modification Procedures
- D** Section 01.29.00 Payment Procedures
- E** Section 01.74.19 Construction and Demolition Waste Management

***This is the standard language for
New construction and Modernization projects with unoccupied units
Delete this section if not applicable.***

77.3. OCCUPANCY PERMIT

- A** The Contractor shall coordinate the efforts of all Subcontractors and obtain the Occupancy Permit from the local Building Department.
- B** The Owner shall pay any Building Department fee associated with the Occupancy Permit.

***The following paragraphs are recommended for
De-leading Projects requiring a Letter of Compliance
Delete this section if not applicable.***

77.4. LETTERS OF COMPLIANCE

- A** The Contractor shall coordinate the efforts of all Subcontractors and obtain any required Letters of Compliance or Certificate of Reoccupancy from the Owner's lead consultant. The Owner shall pay any fee associated with these letters of compliance.
- B** The Contractor shall reimburse the Owner for any costs resulting from failed tests or inspections conducted to obtain a Letter of Compliance or Certificate of Reoccupancy. This reimbursement should be made as part of a credit change order following the procedures spelled out in the Construction Handbook

***In addition to the language for Substantial Completion, the following
partial completion process is recommended for Modernization Projects
when Work will be done inside occupied Dwelling Units.***

Adjust the paragraph numbers as required

77.5. PARTIAL COMPLETION

- A** At the completion of Work within a Dwelling Unit the Contractor may notify the Architect that the Work within the unit(s) is Partially Complete. The Architect, or a designee, shall conduct a thorough inspection of the Work. If the Dwelling Unit is actively occupied this inspection shall occur within 24 hours of any written request. The Architect shall prepare a punch list, setting forth in accurate detail any items and additional items that are not acceptable or incomplete inside the dwelling unit. The Contractor shall coordinate all Subcontractors to achieve prompt completion of the punch list.
- B** Prior to requesting Partial Completion the Contractor shall make a thorough inspection of the Work. During this inspection the Contractor shall prepare a comprehensive list of all items remaining to be completed or corrected. This list shall include all remaining Contractor and Subcontractor items to be provided under the Contract Documents.
- C** The Contractor shall not be relieved of the responsibility to provide Contract items left off the Architect's punch list.
- D** If the Architect determines that the Work within the dwelling unit is not Partially Complete, or not acceptable for the use for which it was intended, the Architect shall inform the Contractor of those items that must be completed before the Architect will prepare the punch list. Upon completion of those items, the Contractor shall again request the Architect to prepare a punch list.
- E** If the Contractor fails to request an inspection that Contractor will be responsible for the condition of the Work even if the Dwelling Unit is occupied.
- F** The date of Substantial Completion for the entire contract and the start of all associated warranties shall not occur until work in all units is complete.
- G** The Architect shall prepare the Certificate of Substantial Completion in accordance with Article 9.6 of the General Conditions after the work in all Dwelling Units is complete.
- H** Partial Payment of Retainage shall not be made until at least 65 days after the effective date of the final Certificate of Substantial Completion for the entire project.

This is the standard Substantial Completion Language for new construction or projects with all unoccupied units

77.6. SUBSTANTIAL COMPLETION

- A** Prior to requesting Substantial Completion as provided in Article 9.6 of the General Conditions the Contractor shall make a thorough inspection of the Work. During this inspection the Contractor shall prepare a comprehensive list of all items remaining to be completed or corrected. This list shall include all remaining Contractor and Subcontractor items to be provided under the Contract Documents.
- B** Upon completion of the items noted on the Contractor's list the Contractor shall notify the Architect that the Work is Substantially Complete. The Architect shall then conduct a similar thorough inspection. If the Architect agrees that the Work is Substantially Complete, the Architect will promptly make a thorough inspection and prepare a punch list, setting forth in accurate detail any items on the Contractor's list and additional items that are not acceptable or incomplete. The Contractor shall coordinate all Subcontractors to achieve prompt completion of the punch list.
- C** The Contractor shall not be relieved of the responsibility to provide Contract items left off of the Architect's punch list.
- D** If the Architect determines that the Work is not Substantially Complete, the Architect shall inform the Contractor of those items that must be completed before the Architect will prepare a punch list. Upon completion of those items, the Contractor shall again request the Architect to prepare a punch list.

- E** When the punch list has been prepared, the Architect will arrange a meeting with the Contractor and Subcontractors to identify and explain all punch list items and answer questions on work which must be done before final acceptance.
- F** The Architect may revise the punch list, from time to time, to ensure that all items of Work are properly completed.
- G** The Architect shall prepare the Certificate of Substantial Completion in accordance with Article 9.6 of the General Conditions.

77.7. RECORD DRAWINGS

- A** Consult the individual sections of the Specifications for the specific requirements of those sections. In cases of inconsistency the more stringent requirement, as directed by the Architect, shall be required.
- B** Prior to final payment and completion the Contractor shall provide all marked up As Built Drawings as required under other sections of the Specifications.

77.8. OPERATING AND MAINTENANCE INSTRUCTIONS

- A** Consult the individual sections of the specifications for the specific requirements for those sections and for further details and descriptions of the requirements
- B** Prior to final payment and completion the Contractor shall provide all Operating Manuals and Maintenance Instructions as required by the Contract Documents.

C OPERATING INSTRUCTIONS AND MANUALS

- (1.)** Subcontractors, installers, and suppliers shall furnish to the Contractor two sets of operating and maintenance instructions of all mechanical, electrical, and manually operated equipment furnished and installed by them. Mechanical and electrical subcontractors shall furnish instructions as specified in their respective sections.
- (2.)** The Contractor shall collect all of the above instructions, bind them into two complete sets, and submit them to the Architect who will deliver them to the Owner.
- (3.)** Submission of operating and maintenance instructions shall be a condition precedent to final payment.

D INSTRUCTION OF OWNER'S PERSONNEL

- (1.)** Where specified in the individual sections of the specifications, the Contractor and Subcontractor shall instruct the Owner's personnel at the site, in the use and maintenance of equipment installed under the Contract.
- (2.)** Submission to the Architect of a certificate of compliance to this requirement, signed by the Contractor and the Owner's Representative, shall be a condition precedent to final payment.

77.9. FINAL COMPLETION

A RELATED REQUIREMENTS

The Contractor's attention is directed to Article 9.7 of the General Conditions and the Construction Handbook.

B FULL RELEASE OF RETAINAGE (FINAL PAYMENT)

- (1.)** Upon completion of all work, and after receipt of all appropriate marked up As Built Drawings, Operating Manuals, Warranties, Guarantees, and Spare Parts required by the Contract Documents, the Architect shall prepare the Certificate of Final Completion (Form 01.77.00.03) a copy of which can be found in the Construction

Handbook or on the DHCD website. A sample of this form can be found at the end of this section.

- (2.) This certificate shall be processed in accordance with the procedures described in the Construction Handbook.
- (3.) The Contractor's signature on this Certificate shall be notarized.
- (4.) The Contractor shall provide a final Application for Payment to complement the close-out process.

C PARTIAL RELEASE OF RETAINAGE

- (1.) If within 65 days after Substantial Completion, any of the items on the Architect's punch list are not complete or if the Contractor has not provided the appropriate marked up As Built Drawings, Operating Manuals, Warranties, Guarantees, or Spare Parts the Architect shall assign a monetary value for each incomplete item as well as any other items as provided by M.G.L. c.30 §39K, and the Architect shall prepare a Certificate for Partial Release of Retainage
- (2.) If the Architect is required to prepare a Certificate for Partial Release of Retainage (Form 01.77.00.02) the Contractor shall complete all remaining Work in accordance with the provisions of Article 9.7 of the General Conditions. A copy of this form can be found in the Construction Handbook or on the DHCD web site. There is also a sample at the end of this section.
- (3.) The Contractor's signature on this Certificate shall be notarized.
- (4.) The Contractor may make a request for additional releases of retainage when portions of the Work listed on the Architect's punch list have been satisfactorily completed. Each request shall be accompanied by a new application for payment and a new signed and notarized Certificate for Partial Release of Retainage.
- (5.) The Architect's inspections, required to complete the additional payment applications described in subparagraph C4 above, are subject to provisions of subparagraph 9.7.5 of the General Conditions.
- (6.) Upon completion of all remaining items, the Final Release of Retainage shall be processed in accordance with paragraph B above.

END OF SECTION 01.77.00 PROJECT CLOSEOUT PROCEDURES